

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MANITOU ISLAND TRANSIT, LLC,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

No. 25-218C
(Judge Dietz)

SECOND JOINT MOTION FOR AN ENLARGEMENT OF TIME
FOR DEFENDANT TO FILE ITS RESPONSE TO THE COMPLAINT

Pursuant to Rules 6(b) and 6.1 of the Rules of the United States Court of Federal Claims, plaintiff, Manitou Island Transit, LLC, and defendant, the United States, respectfully request an enlargement of time of 61 days, from August 20, 2025, through and including October 20, 2025, within which the United States may file its response to Manitou Island's complaint. The parties previously jointly requested and the Court granted an enlargement of time of 90 days for this purpose. The United States previously requested and the Court granted an enlargement of time of 45 days for this purpose.

Good cause exists for this motion. The parties have made progress in their settlement negotiations. The parties wish to continue to engage in negotiations to attempt to resolve this matter without further litigation. The requested enlargement will enable the parties to continue to engage in meaningful negotiations and further the interests of judicial efficiency by avoiding work that will be unnecessary if an amicable resolution is reached.

For the foregoing reasons, the parties respectfully request that the Court grant their joint motion for an additional 60 days within which the United States may file its response to the

complaint and permit the United States to file its response to the complaint on or before October 20, 2025.

Respectfully submitted,

THE FIERBERG NATIONAL LAW
GROUP, PLLC

/s/ Douglas E. Fierberg by

s/Bailor Bell

Douglas E. Fierberg, Esq. – Attorney of
Record

Bailor Bell, Esq. – Of Counsel
Counsel for MIT

201 East 17th Street, Suite A

Traverse City, MI 49684

dfierberg@tfnlgroup.com

bbell@tfnlgroup.com

Telephone: 231-933-0180

Facsimile: 231-252-8100

Attorneys for Plaintiff

BRETT A. SHUMATE

Assistant Attorney General

PATRICIA M. McCARTHY

Director

s/ Franklin E. White, Jr.

FRANKLIN E. WHITE, JR.

Assistant Director

s/ Bryan M. Byrd*

BRYAN M. BYRD

Trial Attorney

Commercial Litigation Branch

Civil Division

U.S. Department of Justice

P.O. Box 480

Ben Franklin Station

Washington, D.C. 20044

Tel: (202) 305-7607

E-mail: bryan.m.byrd@usdoj.gov

Attorneys for Defendant

August 13, 2025

* Pursuant to paragraph 22(b) of Appendix E of the Rules of the United States Court of Federal Claims, I represent that Bailor Bell, counsel for plaintiff, has stated to me that he has reviewed this document and consents to its filing.